

SECTOR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

YAMAGATA, Hitoshi

Serial No. **09/391,399**

Filed: **September 8, 1999**

For: **MAGNETIC RESONANCE IMAGING
APPARATUS**



Atty. Ref.: 3553-2

Group: 2812

Examiner:

* * * * *

October 12, 1999

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

**REQUEST FOR WITHDRAWAL OR CLARIFICATION
OF ERRONEOUS NOTICE TO FILE MISSING PARTS**

The attached copy of the 09/24/99 Notice to File Missing Parts is not understood. It alleges that the inventor's oath or declaration is missing or unsigned -- and the "unsigned" declaration has been circled. However, as evidenced by the attached photocopy of the signed inventor's declaration already filed with the original application papers on September 8, 1999 (USPTO postcard receipt attached), this Notice is clearly erroneous. Accordingly, withdrawal of this erroneous Notice is respectfully requested.

This filing may be considered a "response" to the Notice to File Missing Parts.

YAMAGATA, Hitoshi
Serial No. 09/391,399

Under the circumstances, no surcharge fee is believed required. However, if such is ultimately required, then authority is hereby given to charge such additional fee to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon
Reg. No. 25,640

LSN:vc
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100



Serial No.: new US appln.
Applicant: YANAGATA
Title: Magnetic Resonance
Imaging apparatus

Atty: LSN
Date: 9-8-99
Client: 3553
Ref: 2

~~7~~ 21 Amendment
7 Pages Specification + 1-pg abstract
12 Claims
12 Sheets Drawings: Formal _____
Informal _____
X Declaration (1 Pages)
X Assignment
Priority Document
Base Issue Fee Transmittal
800.00 Fee (Check)

Other:





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/391,399 09/08/99 YAMAGATA

3553-2

NIXON & VANDERHYTE PC
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON VA 22201-4714

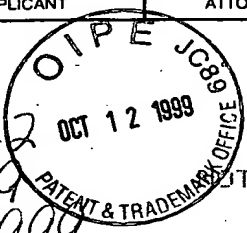
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9-24-99

NOV 24, 1999

MAR 24, 2000

1000/0000



NOT ASSIGNED

2812

DATE MAILED:

09/24/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☐ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Dianna Roul

Customer Service Center
Initial Patent Examination Division (703) 308-1202

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FC:105

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FILE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

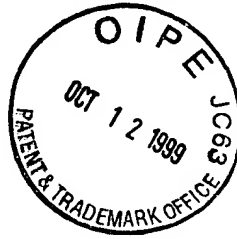
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YAMAGATA, Hitoshi

Serial No. 09/391,399

Filed: September 8, 1999

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APPARATUS



Atty. Ref.: 3553-2

Group: 2812

Examiner:

* * * * *

October 12, 1999

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

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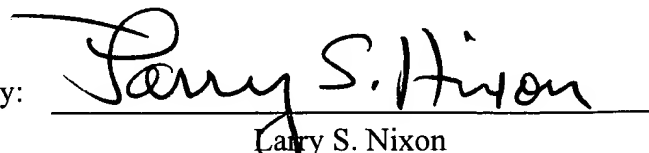
REQUEST FOR CORRECTION OF FILING RECEIPT

Enclosed is a copy of the Filing Receipt for the above-identified application which fails to state the inventor's full name and address. It should read --HITOSHI YAMAGATA, TOKYO, JAPAN--. Also the filing receipt fails to state the corresponding foreign information which should read --JAPAN 10-279172 September 30, 1998--. The corrections are shown in red on the attached copy of the filing receipt. Please note your records accordingly. Correction of same is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon

Reg. No. 25,640

LSN:vc
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

FILING RECEIPT

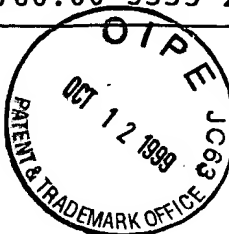
3553
LSN



UNITED STATES DEPARTMENT OF COMMERCE
Pat nt and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/391,399	09/08/99	2812	\$760.00	3553-2	12	7	2

NIXON & VANDERHYE PC
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON VA 22201-4714



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) ~~YAMAGATA~~ HITOSHI YAMAGATA, TOKYO, JAPAN
FOREIGN APPLICATIONS JAPAN 10-279172 SEPTEMBER 30, 1998

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 09/24/99
TITLE
MAGNETIC RESONANCE IMAGING APPARATUS
PRELIMINARY CLASS: 324

RECEIVED
OCT 2 1999
TO CDD MAIL ROOM

DATA ENTRY BY: RORIE, DEANNA

TEAM: 03 DATE: 09/24/99



(See reverse for new important information)